

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2
3 In the Matter of)
4) MUR 5227
5 Republican Party of Alaska and)
6 Glenn Clary, as treasurer)
7
8

9 **CONCILIATION AGREEMENT**

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11 This matter was initiated by the Federal Election Commission ("Commission"), pursuant
12 to information ascertained in the normal course of carrying out its supervisory responsibilities.

13 The Commission found reason to believe the Republican Party of Alaska and Glenn Clary, as
14 treasurer ("Respondents"), violated 2 U.S.C. §§ 434(a)(4)(A)(i), 432(a) and 433(c).

15 NOW, THEREFORE, the Commission and the Respondents, having participated in
16 informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree
17 as follows:

18 I. The Commission has jurisdiction over the Respondents and the subject matter of this
19 proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.
20 § 437g(a)(4)(A)(i).

21 II. Respondents have had a reasonable opportunity to demonstrate that no action should
22 be taken in this matter.

23 III. Respondents enter voluntarily into this agreement with the Commission.

24 IV. The pertinent facts in this matter are as follows:

25 1. The Republican Party of Alaska is a political committee within the meaning of
26 2 U.S.C. § 431(4), and is not an authorized committee of any candidate.

27 2. Glenn Clary is the treasurer of the Republican Party of Alaska.

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1 3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires
2 treasurers of political committees, other than authorized committees of a candidate, to file
3 periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). In any calendar year in
4 which a regularly scheduled election is held, all political committees that choose not to file on a
5 monthly basis shall file quarterly reports, which shall be filed no later than the 15th day after the
6 last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i).

7 4. Respondents elected to file reports on a quarterly basis.

8 5. Respondents were required to file their 2000 April Quarterly Report no later than
9 April 15, 2000.

10 6. On June 19, 2000, Respondents filed their 2000 April Quarterly Report, disclosing
11 \$10,750.00 in receipts and \$31,989.47 in disbursements. This report, which should have been
12 filed by April 15, 2000, was 65 days late. This report has been amended multiple times. The
13 most recent amendment, filed March 1, 2001, disclosed \$67,617.87 in receipts and \$40,050.25 in
14 disbursements.

15 7. Every political committee shall have a treasurer, and except when a political
16 committee has designated in its statement of organization an assistant treasurer who will assume
17 the responsibilities of the treasurer in the event of a vacancy in that office, no contribution or
18 expenditure shall be accepted or made by or on behalf of a political committee during any period
19 in which the office of treasurer is vacant. 2 U.S.C. § 432(a); 11 C. F. R. § 102.7.

20 8. The Act also provides that any change of information previously submitted in a
21 statement of organization shall be reported no later than 10 days after the date of change.
22 2 U.S.C. § 433(c).

1 9. By letter dated October 17, 2000 and received by the Commission on October 20,
2 2000, the Respondents reported for the first time in writing that the Committee had neither a
3 treasurer nor an assistant treasurer between August 1, 2000 and August 26, 2000. During this
4 time, the Committee reported making \$8,753.97 in expenditures, \$6,924.26 federal and
5 \$1,829.71 non-federal, and receiving \$295 in contributions.

6 10. Respondents contend that on July 20, 2000 the then RPA Treasurer tendered his
7 resignation to the party chairman. Respondents further contend that on August 1, 2000, the then
8 RPA Assistant Treasurer also tendered his resignation. Respondents further contend that the
9 resignations were accepted and a new treasurer and assistant treasurer were appointed by the
10 chairman and confirmed by the State Central Committee on August 26, 2000.

11 V. 1. Respondents failed to timely file their 2000 April Quarterly Report, in
12 violation of 2 U.S.C. 434(a)(4)(A)(i).

13 2. Respondents made expenditures and accepted contributions in violation of
14 2 U.S.C. § 432(a).

15 3. Respondents failed to report changes in information previously submitted in a
16 statement of organization within the required 10 days, in violation of 2 U.S.C. § 433(c).

17 VI. Respondents will pay a civil penalty to the Federal Election Commission in the
18 amount of Four Thousand Eight Hundred dollars (\$4,800), pursuant to 2 U.S.C. § 437g(a)(5)(A).

19 VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.
20 § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance
21 with this agreement. If the Commission believes that this agreement or any requirement thereof
22 has been violated, it may institute a civil action for relief in the United States District Court for
the District of Columbia.

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VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence H. Norton
General Counsel

BY:

Rhonda J. Vosdigh
Rhonda J. Vosdigh
Acting Associate General Counsel

1/8/02
Date

FOR THE RESPONDENTS:

Randolph G. Ruedman
(Name)
(Position) Chairman
Republican Party of Alaska

6 Dec 2001
Date